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PTO/SB/22 (10-00)

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PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)Docket Number (Optional)
01/018 NUT

In re Application of Nico N. RACZEK	
Application Number 10/057,107	Filed January 25, 2002
For Sorbic acid product comprising probiotics as addition to . . .	
Group Art Unit 1651	Examiner D. K. Ware

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.

The requested extension and appropriate non-small-entity fee are as follows
(check time period desired):

<input checked="" type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$ 120.00
<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$ _____
<input type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$ _____
<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$ _____
<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$ _____
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee amount shown above is reduced by one-half, and the resulting fee is: \$ _____.	
<input type="checkbox"/> A check in the amount of the fee is enclosed.	
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.	
<input type="checkbox"/> The Commissioner has already been authorized to charge fees in this application to a Deposit Account.	
<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 50-2193.	

I have enclosed a duplicate copy of this sheet.

I am the applicant/inventor

<input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).
<input checked="" type="checkbox"/> attorney or agent of record.
<input type="checkbox"/> attorney or agent under 37 CFR 1.34(a). Registration number if acting under 37 CFR 1.34(a) _____.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

January 24, 2005

Date

Cathy Moore

Signature

Cathy R. Moore, Reg. No. 45,764

Typed or printed name

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

Total of 1 forms are submitted.

Burden Hour Statement: This form is estimated to take 0.1 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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PTO/5B/17 (10-03)

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FEE TRANSMITTAL
for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT **(\$)** **250.00**

Complete If Known

Application Number	10/057,107
Filing Date	January 25, 2002
First Named Inventor	RACZEK
Examiner Name	D. K. Ware
Art Unit	1651
Attorney Docket No.	01/018 NUT

METHOD OF PAYMENT (check all that apply)

Check Credit card Money Order Other None
 Deposit Account:
 Deposit Account Number: 60-2193
 Deposit Account Name: ProPat, LLC

The Director is authorized to: (check all that apply)
 Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) or any underpayment of fee(s)
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051	65	Surcharge - late filing fee or oath	
1052 50	2052	26	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053	130	Non-English specification	
1812 2,520	1812	2,520	For filing a request for ex parte reexamination	
1804 920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251	55	Extension for reply within first month	
1252 420	2252	210	Extension for reply within second month	
1253 950	2253	475	Extension for reply within third month	
1254 1,480	2254	740	Extension for reply within fourth month	
1255 2,010	2255	1,005	Extension for reply within fifth month	
1401 330	2401	165	Notice of Appeal	
1402 330	2402	165	Filing a brief in support of an appeal	
1403 200	2403	146	Request for oral hearing	
1451 1,610	1451	1,610	Petition to institute a public use proceeding	
1452 110	2452	55	Petition to revive - unavoidable	
1453 1,330	2453	665	Petition to revive - unintentional	
1501 1,330	2501	665	Utility issue fee (or reissue)	
1602 480	2502	240	Design issue fee	
1503 640	2503	320	Plant issue fee	
1480 130	1480	130	Petitions to the Commissioner	
1807 80	1807	50	Processing fee under 37 CFR 1.17(q)	
1808 180	1808	180	Submission of Information Disclosure Stmt	
8021 40	8021	40	Recording each patent assignment per property (times number of properties)	
1809 770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801	385	Request for Continued Examination (RCE)	
1802 900	1802	900	Request for expedited examination of a design application	
Other fee (specify) 130.00				

SUBTOTAL (2) (\$)

*or number previously paid, if greater. For Reissues, see above

SUBTOTAL (3) (\$) **250.00**

SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	Cathy R. Moore	Registration No. (Attorney/Agent)	45,764	Telephone	704 365-4881
Signature	<i>Cathy Moore</i>			Date	January 24, 2005

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.